

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

BIONTECH SE, BIONTECH
MANUFACTURING GMBH,
AND PFIZER INC.,

Plaintiffs,

v.

CUREVAC AG,

Defendant.

Case No. 1:22-cv-11202-NMG

**PLAINTIFFS' ASSENTED-TO MOTION TO EXTEND THE DEADLINE TO FILE A
RESPONSE TO DEFENDANT'S MOTION TO DISMISS FOR LACK OF PERSONAL
JURISDICTION OR TO TRANSFER PURSUANT TO 28 U.S.C. § 1631**

Plaintiffs BioNTech SE and BioNTech Manufacturing GmbH ("BioNTech Manufacturing," and with BioNTech SE collectively, "BioNTech") and Pfizer Inc. ("Pfizer") (collectively, "Plaintiffs"), hereby move, on an assented-to basis, for an extension of time until December 5, 2022 for the Plaintiffs to respond to the defendant's motion to dismiss for lack of personal jurisdiction or to transfer pursuant to 28 U.S.C. § 1631 (the "Motion to Dismiss").

As grounds for this motion, the Plaintiffs state as follows:

1. The Plaintiffs commenced this action by filing their Complaint on July 25, 2022.
2. Pursuant to a Waiver of Service sent on July 29, 2022, the defendant's response was due by October 27, 2022.
3. The defendant filed the Motion to Dismiss on October 27, 2022.
4. The parties have conferred regarding the timing of the Plaintiffs' response to the Motion to Dismiss. The defendant assents to an extension of the deadline for the Plaintiffs to respond to the Motion to Dismiss until December 5, 2022.

5. No extension of time has previously been sought or granted with respect to this deadline, and this extension is sought to accommodate the schedules of counsel, including lead counsel for BioNTech being away for trial in another matter.

WHEREFORE, the Plaintiffs respectfully move this Court for the entry of an Order extending the time for the Plaintiffs to file a response to the Motion to Dismiss until December 5, 2022.

PLAINTIFFS,

By their Counsel,

/s/ Jeffrey S. Robbins

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Attorneys for Defendant CureVac AG

Dated: November 3, 2022

CERTIFICATE OF SERVICE

I, Jeffrey S. Robbins, hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on November 3, 2022.

/s/ Jeffrey S. Robbins
Jeffrey S. Robbins